[Sri T. Purushotham] [18th May 1954

"In this connexion I should like to point out that any improvements carried out in Courtallam should also be carried out in Tenkasi. Tenkasi is only about three miles from Courtallam and as this is a measure intended to improve Courtallam and make it into a sanatorium, every step should be taken to improve Tenkasi also, it being the Railway terminus. I have examined the income and population of the Tenkasi Panchayat and they are sufficient enough to warrant the conversion of Tenkasi Panchayat into a Municipality. As a matter of fact, Government were considering such a measure and wanted to convert that panchayat into a municipality long ago. I do not know why it is being held up. It being a railway junction and the gateway to Courtallam, it should be very soon converted into a municipality. I think the prime need of this place is protected water-supply. Levy of a water tax and provision of protected water-supply would improve the sanitation of that place. Therefore, I request the Government to give their earnest consideration to the question of conversion of the Tenkasi Panchayat into a Municipality from the date from which Courtallam is to be made into a Township. With these few words I support the motion moved by the Hon. the Minister for Local Administration."

DR. V. K. JOHN :—" Sir, the amendment has my support."

* SRI G. KRISHNAMURTHI :—" Mr. Chairman, Sir, I am glad that provision has been made for placing all orders made by the State Government under sub-section (1) on the table of both Houses of the Legislature. In fact we were complaining that such a provision was not made in all the measures that came up before this House. In the drafting of certain Bills, provision was made for not placing the orders on the table of the House. I hope Government would take this as a precedent and place all orders passed on the table of this House also."

MR. CHAIRMAN :—" The question is—

'*Renumber* clause 6 as sub-clause (1) and *add* the following as sub-clause (2) :—

" (2) All orders made by the State Government under sub-section (1) shall, as soon as possible after they are made, be laid on the table of both Houses of the Legislature." ' "

The motion was carried, and the amendment was passed.

(3) THE MADRAS PAYMENT OF SALARIES AND REMOVAL OF DISQULIFICATIONS (AMENDMENT) BILL, 1954 (L.A. BILL NO. 24 OF 1954)

* THE HON. SRI C. SUBRAMANIAM :—" Mr. Chairman, Sir, I beg to move—

'*That the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill,* [a] *1954 (L.A. Bill No. 24 of 1954), as passed by the Assembly, be taken into consideration.*'

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[a] Printed as Appendix on page 245 infra.

18th May 1954] [Sri C. Subramaniam]

"This is a very simple Bill. Certain doubts were expressed with reference to persons joining the Territorial Army and the National Cadet Corps in view of certain allowances being paid to them. It has been said that persons joining the Territorial Army and the National Cadet Corps receiving the allowances will become disqualified from being a Member or being chosen as a Member of the Legislature. In order to remove the difficulty and to enable even Members of the Legislature to join the Territorial Force and the National Cadet Corps we have brought forward this measure on the suggestion of the Government of India. I hope it will have the unanimous support of this House including that of the hon. the Deputy Leader of the Opposition, which he has already promised."

MR. CHAIRMAN :—"Motion moved—

'That the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1954 (L.A. Bill No. 24 of 1954), as passed by the Assembly, be taken into consideration.'"

DR. V. K. JOHN :—"Mr. Chairman, Sir, may I implement my promise to support this Bill? I strongly support this Bill."

* SRI G. KRISHNAMURTHI :—"I welcome this Bill but I would like to have some clarification from the Hon. Minister in charge of the Bill. I want to know how exactly the Territorial Army differs from the National Cadet Corps, whether by passing this Bill all the hon. Members of this House will be eligible to join the Territorial Army or the National Cadet Corps, whether there is any medical examination with regard to height, weight and other things, and whether there is any age restriction."

* THE HON. SRI C. SUBRAMANIAM :—"Mr. Chairman, Sir, with reference to the points raised by the hon. Member Sri G. Krishnamurthi I shall pass on to him the Acts concerning the establishment of the National Cadet Corps and the Territorial Army. I would request him to go through the provisions of those Acts, and I am sure he will get enlightenment there. Sir, I am thankful to the hon. the Deputy Leader of the Opposition, Dr. John, for having given his support at least to this measure. I hope this will be the starting point for his support of many other measures to be brought in by the Government."

DR. V. K. JOHN :—"Sir, I support all good measures."

MR. CHAIRMAN :—"The question is—

'That the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1954 (L.A. Bill No. 24 of 1954), as passed by the Assembly, be taken into consideration.'"

The motion was carried and the Bill was taken into consideration.

Clauses 2 and 1 and the Preamble were put and carried.

THE MADRAS PAYMENT OF SALARIES AND REMOVAL OF DISQUALIFICATIONS (AMENDMENT) BILL, 1954 (L.A. BILL NO. 24 OF 1954)

* THE HON. SRI C. SUBRAMANIAM :—" Mr. Chairman, Sir, I move—

'*That the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill*, 1954 (*L.A. Bill No.* 24 *of* 1954), *as passed by the Assembly, be passed into law.*' "

MR. CHAIRMAN :—" The question is—

'That the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1954 (L.A. Bill No. 24 of 1954), as passed by the Assembly, be passed into law.' "

The motion was carried and the Bill was passed into law.

(4) THE MADRAS HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS (AMENDMENT) BILL, 1954 (L.A. BILL NO. 27 OF 1954).

THE HON. SRI B. PARAMESWARAN :—" Mr. Chairman, Sir, I beg to move—

'*That this House concurs in setting up a Joint Select Committee of both the Houses consisting of* 23 *Members* (15 *Members of the Assembly and* 8 *Members of the Council*) *to consider the Madras Hindu Religious and Charitable Endowments (Amendment) Bill*, 1954 (*L.A. Bill No.* 27 *of* 1954), *and that the following Members of this House be selected to serve on such a Joint Select Committee* :—

1 *The Hon. Sri M. Bhaktavatsalam.*
2 *Sri T. G. Krishnamurthi.*
3 *Sri K. Bhashyam.*
4 *Sri C. Maruthavanam Pillai.*
5 *Sri T. Purushotham.*
6 *Sri K. Balasubramanya Ayyar.*
7 *Sri T. M. Narayanaswamy Pillai.*
8 *Sri M. P. Govinda Menon.*' "

MR. CHAIRMAN :—" Motion moved—

'That this House concurs in setting up a Joint Select Committee of both the Houses consisting of 23 Members (15 Members of the Assembly and 8 Members of the Council) to consider the Madras Hindu Religious and Charitable Endowments (Amendment) Bill, 1954 (L.A. Bill No. 27 of 1954), and that the following Members of this House be selected to serve on such a Joint Select Committee :—

1 The Hon. Sri M. Bhaktavatsalam.
2 Sri T. G. Krishnamurthi.
3 Sri K. Bhashyam.
4 Sri C. Maruthavanam Pillai.
5 Sri T. Purushotham.
6 Sri K. Balasubramanya Ayyar.
7 Sri T. M. Narayanaswamy Pillai.
8 Sri M. P. Govinda Menon.' "

18th May 1954]

SRI K. BASHYAM :—" Mr. Chairman, Sir, I may be permitted to say a few words on this Hindu Religious and Charitable Endowments (Amendment) Bill, 1954, which has been placed before this House. I may state, in the first instance, that when the original Act was being considered by the Legislative Assembly, Sri T. Viswanatham and myself raised many a point regarding the constitutionality or otherwise of some of the provisions of that Act. I think we were right in our contention regarding these provisions, because they have now been declared to be unconstitutional. I am glad that the Government have come forward with this measure for the purpose of rectifying these mistakes which they could have rectified on the last occasion itself. Now that they have come forward with this Amendment Bill, I would ask the Government as I did on the last occasion, not to mix up ordinary temples with the mutts which are really governed by a different set of principles and rules. I think it would have been better if a separate legislation had been brought forward for dealing only with mutts. It would be easier for the department concerned also to deal with the mutts. This was my view which I pressed upon the then Government for consideration. Apart from this, there is also the question whether the various provisions in this Amendment Bill do really carry out the intentions of the Supreme Court. Anyhow, I am glad the Government have come forward with this Bill, and we will be going through it very carefully in the Joint Select Committee, and I think we will be able to forge a measure which will be beneficial to the country at large and also avoid the pitfalls of unconstitutionalism." 3-40 p.m.

DR. V. K. JOHN :—" Sir, I support this motion."

* SRI G. KRISHNAMURTHI :—" Mr. Chairman, Sir, I beg to place the following points for the kind consideration of the Joint Select Committee that is going to be formed. Now, as expressed by the previous speaker, the hon. Member Sri K. Bhashyam, mutts stand on quite a different footing from temples. Temples are places where collections of various kinds are made from the public, perhaps on account of the attraction of the idol or on account of the sanctity attached to those places. Mutts stand on a different footing. They depend more on the personality at the head of the mutt. Now, are we not affecting the feelings of the personality at the head of the mutt and more so the feelings of the people who have great respect for that personality? This is a matter completely pertaining to a particular religion and somehow or other this secular Government have thought it fit to interfere in this matter. The head of the mutt is just like an Incarnation of God. This legislation goes to the extent of framing sections providing for the removal of the head of the mutt if some of his attitudes are thought questionable. I do not know who are going to question the attitude of these heads of mutts, if they are not the public. So, an ordinary layman is to be vested with this power through a particular section of an Act of the Legislature which is now under contemplation. He is to question the attitude or the policy of the head of a mutt who has been held in esteem all these years

and who has been considered for thousands and thousands of years as God Incarnate. This is just the position under the proposed legislation. Does it not affect the feelings of so many men who attach great weight to the personality at the head of the mutt?"

MR. CHAIRMAN :—" The hon. Member can discuss all these when the Bill actually comes before this House. Let the hon. Member be more brief."

* SRI G. KRISHNAMURTHI :—" Sir, I would just like the hon. Members of the Joint Select Committee to go into this question, whether the mutts stand on a par with temples or whether they differ from the temples in that there is a person in flesh and blood at the head of the mutt who is considered as God Incarnate. In the case of a temple it is quite different, because the people may or may not have faith in the idol. Whether by just bringing in a clause whereby we attempt to judge the attitude and policy of the head of a mutt, it will not affect the feelings of so many people who have great personal regard for the head of the mutt, is a point which should be mainly considered by the Joint Select Committee."

MR. CHAIRMAN :—" The question is—

'That this House concurs in setting up a Joint Select Committee of both the Houses consisting of 23 Members (15 Members of the Assembly and 8 Members of the Council) to consider the Madras Hindu Religious and Charitable Endowments (Amendment) Bill, 1954 (L.A. Bill No. 27 of 1954), and that the following Members of this House be selected to serve on such a Joint Select Committee :—

1 The Hon. Sri M. Bhaktavatsalam.
2 Sri T. G. Krishnamurthi.
3 Sri K. Bhashyam.
4 Sri C. Maruthavanam Pillai.
5 Sri T. Purushotham.
6 Sri K. Balasubramanya Ayyar.
7 Sri T. M. Narayanaswamy Pillai.
8 Sri M. P. Govinda Menon.' "

The motion was carried.

MR. CHAIRMAN :—" The House will now adjourn *sine die*."

The House then adjourned *sine die*.

V.—PAPER LAID ON THE TABLE OF THE HOUSE.

Bill passed by the Assembly and received therefrom in the Council—

[a] *The Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1954 (L.A. Bill No. 24 of 1954).*

[a] Circulated to Members on 17th May 1954.